Secret II-97—50,000—4-11-46.

E+PH (1947) Department.

SERIES.

G.O. NO. 1131 F&M

1131

Dated 4-6-1947.

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[Despatch Abstract.]

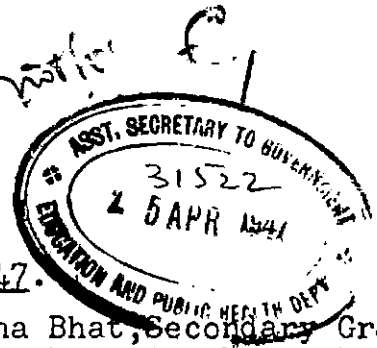
EDUCATION DEPARTMENT.

FROM

Dr. S.R.U. Savoor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, Madras.

TO

The Secretary to Government,
Education and Public Health Department.



R.C.406-C3/47, dated 22--4--1947.

Sir,

Sub: Fixation of pay of Sri B.Balakrishna Bhat, Secondary Grade teacher, Hospet Municipality during theperiod he worked under Government.

REF: Petition from Sri B.Balakrishna Bhat dated 30-12-1946.

In submitting herewith a copy of the petition referred to above I request that the pay of the teacher may be fixed as Rs.39/8/-p.m. during the period from 12-7-45 to 21-6-46 when he worked under Government

for Director of Public Instruction.

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Copy of petition dated 30-12-46 of Sri B.Balakrishna Bhat

Subject: Elementary Education-Hospet Municipality Vidwan B.Balakrishna Bhat Secondary Grade Teacher - Appeal against the orders regarding fication of pay and increment in respect of the period of service in the Government Middle School for girls Hospet as Kanada Pandit Submitted.

The appelant B.Balakrishna Bhat Headmaster Municipal Model School attached to the Government Training School Hospet begs to submit the following for favour of consideration and for favourable orders. The Petitioner is a permanent secondary Grade teacher in the Elementary Education Department of the Hospet Municipality with seventeen years of service. He is also a qualified Kanada Pandit, having passed the Vidwan examination in the year 1938. Prior to his present appointment as Headmaster of the Agasarakeri Hindu Elementary Boys' School he had served as Headmaster of the Municipal Hindu Girls' School Hospet, till the same was taken over the Government on 2-7-45.

The Inspectress of Girls' Schools, 3rd Circle, Bellary was pleased to appoint him as Kanada Pandit to the Government Middle School for Girls Hospet subject to the order of the Government regarding his pay and allowance (vide appointment order enclosed). The Inspectress of Schools assured him that he would ~~be~~ surely be started on his own pay of Rs.39/8/- ~~xxxx~~ per mensem and pursuaded him to accept the job. To add to this oral assurance the appointment order posting him as the Kanada Pandit of The Government Girls' School Hospet did not mention his pay, but only stated that his pay and allowance were subject to the orders from the Government. He was thus made to understand that steps had been taken to start him on his permanent pay of Rs.39/8- per mensem. On the above assurance, the petitioner accepted the job as Kanada Pandit with effect from 12-7-45. The petitiner was not aware of the further development of the correspondence, but to his utter disappointment and astonishment, he was paid the initial salary of the post i.e. 35/- per mensem instead of his promised substantive pay of Rs.39/8/- per mensem, thereby causing a loss of Rs.4/8 per mensem.

In addition to the above said injustice done to the petitioner, he was subjected to a further shock. After serving for a month and a half as Kanada Pandit, the petitioner was abruptly appointed to act in a Secondary Grade Teacher's post in the same school after appointing a retired pandit by Name Sri K.M.Kari Basava Sastry in the petitioner's place. Vide Order No.271-A/45 dated 16-9-45. In this new post the petitioner was further pulled down from Rs.35/- to Rs.30/- P.M. only the initial salary of a secondary grade post. By this the petitioner was a loser by Rs.9/8 per mensem in total. This hit him financially to a great extent. The petitioner would never have accepted the job, had he known that he would be appointed in a secondary grade vacancy on a reduced pay. The following facts go to prove this. In the first instance, he was appointed as a Secondary grade teacher only in the Government Girls' School and the petitioner rejected the same and definitely made the authorities understand that he would be prepared to work as only a Pandit on his own pay of Rs.39/8/- per mensem, as a result of which revised orders were issued posting him as a Kanada Pandit. While such being the case, the petitioner was at a loss to know how he is appointed as a Secondary grade Assistant depriving of the place of the Kanada Pandit. On this grave injustice, the petitioner submitted repeated representations seven in number to the authorities concerned. In response to this seventh application dated 18-2-46 (copy enclosed) he was reposted as Kanada Pandit. The difference of pay of Rs.5/- per mensem in respect of the period during which he was made to ~~xxx~~ as Secondary Grade teacher was also paid to him expect for the period during which the new Kanada pandit service, (copy enclosed) Even in the orders reposting him as Kanada Pandit, it was stated that the petitioner's pay and allowances would be decided subject to the Government orders. This gave him a hope that there was every prospet of his getting his original pay of Rs.39-8-0 per mensem with retrospective effect. But unfortunately it was not until ten months after the date of his appointment that he was informed that he was entitled only to the intial salary of the time scale of the Kanada Pandit's post i.e. Rs.35/- per mensem thereby causing

p.t.o.

a permanent loss of Rs.4-8-0 per mensem. Vide Order copy enclosed.

Had the petitioner been made to understand in the beginning itself that he would not be taken on his permanent pay, he would never have accepted the job on a reduced salary. It was only on the definite assurance of the Inspectress of Girls' schools that his claims for his substantive pay would surely be considered the petitioner accepted the appointment. But the result was sad disappointment. He was made to lose nearly Rs.50/- for no fault of his. After reverting to his permanent post the petitioner put in an application dated 22-6-46 to the Commissioner Hospet Municipality requesting him to treat the period of service from 12-7-45 to 21-6-46 as foreign service under F.R.26 (d) (e) so as to count for his increment. But he was informed by the Commissioner in his office L.Dis.No.4980/46-A-4 dated 7-11-46 that his request to treat the period of service from 12-7-45 to 21-6-46 in the Government School as foreign service would be considered only if either himself or the Government undertake to pay the contribution towards leave salary and provident fund bonus.

Apart from the ~~minority~~ Monetary loss of about Rs.50/- caused to him, even his increment is permanently postponed for the period of his service in the Government Girls' School from 12-7-45 to 21-6-46. He was thus doubly handicaped. The petitioner's service and seniority have been affected by his taking up job in the Government Girls' School, which is entirely due to strong persuasion and assurance of the Inspectress of Girls' Schools. Under the above circumstances, the petitioner respectfully begs to request that the Director of Public Instruction may be pleased to take pity on him and order the payment of his substantive pay at Rs.39/- per mensem for the period of his service in the Government Girls' School, Hospet, and also treatment of the said period as on foreign service, so that it may count towards his increment in the Municipality.

/True copy/

for Director of Public Instruction.

35-4/2-43-2/2-45

39 plus

E & P H (B1) Dept.

C no. 31522 B1/47. Schools - Hospet Municipality - Sri. B. Balakrishna Bhat - Secondary Grade Teacher - Fixation of pay during the period of his service under Government.

From the Director of Public Instruction,
Rc. no. 406 C3/47 dated 22. 4. 47.

Memo no. 31522 B1/47 - 1 E & P (1) 5/47

Sri B. Balakrishna Bhat, Secondary Grade Teacher, in the employ of the Municipal Council, Hospet, has requested that the period from 12. 7. 45 to 21. 6. 46 during which he served under Government may be

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treated as on foreign service so that it may count towards his increment ~~pay~~ this Scale of pay in the Municipal Service. / The D.P.I is requested to ~~state his specific remarks etc on early date on the request~~ report whether he recommends the payment of contribution towards leave salary + provident fund from Provincial funds

The Commissioner Hospet Municipality had stated that the request would be considered only if the teacher or the Govt undertake to pay the contribution towards leave salary and provident fund bonus.

To

The D.P.I

30/4/43

Work

30.4.43

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9.5.41

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Rc.406 C3/47.

Office of the Director of Public Instruction,
Madras, dated 15.5.47.

From

Dr. S.R.U. Savoor, M.A., D.Sc., I.E.S.,
Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education and Public Health Department,
MADRAS.

Sir,

Sub: Fixation of Pay - Sri Bala Krishna Bhat - Secondary Grade teacher for the period he served under Government.

Ref: Government Memo No.31522 B.1/47-1 Edn, dated 1.5.47.

I have the honour to state that judged from the view point of the municipality it is doubtful whether there is any provision in the rules to treat the period of the teacher's absence from the Municipal Service from 12.7.45 to 21.6.46, as one on Foreign Service - under Fundamental Rule 130 such teachers are considered as joining a first post under Government and their previous service under the Local Bodies will not be counted as duty performed. It is usually the practice that such teachers resign their original posts acting purely on their own discretion when joining Government Service. Further the appointment of the teacher as Kannada Pandit under Government was under Emergency powers. In these circumstances the question of Government paying the Leave Salary and Provident Fund contributions does not arise. In the exceptional circumstances reported and if Government agree thereto, the only solution seems to be to grant the teacher a pay of Rs.39/8/- p.m. during the period from 12.7.45 to 21.6.46 as already recommended in my letter Rc. No.406 C3/47 dated 22.4.47.

For Director of Public Instruction.

P.R.16/5.

E & P H (B1) Dept.

C no. 31522 B1/47.

Schools - Hospet Municipality - Sri B. Balakrishna Bhat - Secondary Grade Teacher - Fixation of pay during the period of his service under Government - Orders passed.

From the Director of Public Instruction,
R.C. no. 40bC3/47 dated 22.4.47.

Order MS. no. 1131 Edn. dt 4.6.1947.

The Government Sanction, as special case, the payment of a Salary of Rs. 39/- plus a personal pay of eight annas per mensem to Sri B. Balakrishna Bhat, Secondary Grade Teacher, during the

the period from 12-7-45 to 21-6-46 when she worked as Headmistress of the Model School attached to the Government Training School Hospet.

2. The Contribution towards leave salary and provident fund leaves cannot be ~~paid~~ from provincial funds as he was not appointed subject to that condition.

5/4/47.

30/4/47

To

The D.P.I.

The A.I.I. Two. Jun.

Cons SC for file.

Note: The draft order on pp 1-2 above follows the recommendation of the DPI. ~~and~~ The Director has not ~~made any~~ recommended the payment of ~~about~~ Contribution to leave salary

and provident fund loans from Provincial funds. ~~The contribution need not be paid from Provincial funds.~~ It may be sent to finance for acceptance.

A copy

Call for the specific remarks of the D.P.I. first

30/4/47

30/4/47

3.5.47

A draft memo is submitted below for approval

1.5.47

30/4/47

30/4/47 [Memo no. 31522 B1/47 → EO dt 1.5.47]

From the DPI., Rc. no. 4106 C3/47 dt 15.5.47

Please see the reply of the DPI on

page 6 cp. In the circumstances detailed therein the draft order on pp 1-2 ante may be approved.

2. The file may be sent to Finance for acceptance of the draft order.

19/5/47

Issue
19/5/47

Finance C&R

The draft order on p. 1. above may be accepted

21/5/47 to 22/5/47

E-A&I's Comments

E&PH (Pol) Dept.

The draft order on pp 1-2 ante may now issue

25/5/47

Issue
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E&PH No. 30
31522 Pol/47-1

29/5/47

20/5

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SECRETARY TO GOVERNMENT
20 MAY 1947
FINANCE DEPARTMENT

Fin No 30489 C&R
22/5/47

SECRETARY TO GOVERNMENT
28 MAY 1947
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EDUCATION AND PUBLIC H... DEPTT.